IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 20TH MARCH 2007 / 29TH PHALGUNA 1928

WP(C).No. 9533 of 2007(I)

PETITIONER:

SIS. PATIENCE SIC
MANAGER, ST.JOSEPH'S U.P.SCHOOL
PIRAVOM

BY ADV. SRI.DEEPU THANKAN

RESPONDENTS:
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1. STATE OF KERALA
REP. BY THE SECRETARY TO GOVT.
DEPT. OF GENERAL EDUCATION
GOVT. SECRETARIAT
THIRUVANANTHAPURAM

2. DEPUTY DIRECTOR OF EDUCATION
ERNAKULAM

BY GOVT. PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/03/2007 ALONG WITH W.P.C.NOS. 9534/07 & 9540/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).NOs.9533, 9534 and 9540 OF 2007

Dated this the 20th day of March, 2007

JUDGMENT

Petitioner in these writ petitions is one and the same. She is conducting unrecognised unaided schools. The prayer in the writ petitions is to quash Ext.P5 to the extent it denies permission to the petitioner to conduct the annual examination for the standards V to VII in her schools and directs the pupils in the schools to appear in the annual examination in Govt., aided, recognised aided schools. Further prayer is to permit the petitioner to conduct annual examinations in her schools and to issue transfer certificates in accordance with the provisions in the K.E.R.

2. Petitioner has filed affidavits undertaking that all necessary steps will be taken to enforce KER in the schools in the next academic year onwards and any conditions that may be imposed shall also be observed strictly.

3. I heard learned Government Pleader also.

In view of the affidavits filed in these writ petitions, the writ petitions are disposed of directing the second respondent in all the cases to consider and pass orders on the applications filed by the petitioner for permitting the petitioner to conduct annual examinations in the petitioner's schools for the students studying in standards IV to VI and to issue Transfer certificates on the basis of the order dated 11-12-2001 within one week from the date of receipt of a copy of this judgment. Subject to the above, impugned clause is upheld.

K.M.JOSEPH
JUDGE

sv.